

EXHIBIT C

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May 27, 2022

VIA ELECTRONIC MAIL

Matthew M. Lavin
Arnall Golden Gregory LLP
1775 Pennsylvania Ave NW, Suite 1000
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David M. Lilienstein
DL Law Group
345 Franklin Street
San Francisco, CA 94102

Re: Plaintiffs' Discovery Requests Seeking Customer Information

Dear Counsel:

I write on behalf of United Behavioral Health (“UBH”) and UnitedHealthcare Insurance Company (“UHC”) (collectively, the “United Defendants”) to memorialize our approach to Plaintiffs’ requests for documents and information regarding UHC’s contracts and communications with its customers (*i.e.*, plan sponsors), which are third parties in this case. As we’ve discussed on multiple occasions (including most recently our May 25 call), to satisfy these requests to the United Defendants and Plaintiffs’ subpoenas to twenty-five of UHC’s current and former customers, UHC is in the process of collecting several categories of documents for six specific customers identified by Plaintiffs. We have made substantial progress in collecting these materials. We anticipate making an Apple production soon, and we will make other productions on a rolling basis thereafter.

Six Specific Plan Sponsors Identified By Plaintiffs

Plaintiffs have selected six plan sponsors to be the focus of our collections (of the categories listed below) in response to Plaintiffs’ requests. The customers are: Apple Inc., Oracle America, Inc., JP Morgan Chase & Co., Raytheon Company, Tesla, and Union Pacific Corporation. We understand that Plaintiffs have also received some documents directly from the customers in response to subpoenas served on these customers (and potentially others), and we ask that Plaintiffs immediately produce these documents to the extent you have not already done so.

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Document Categories

Over the course of multiple discussions among the parties and with several of the customers (in connection with subpoenas served by Plaintiffs on the customers), we understand that Plaintiffs are focused on the categories of plan sponsor documents listed below. Based on these discussions, and in the interest of moving this case forward notwithstanding the many objections to Plaintiffs' requests, we have agreed to conduct a reasonable, good faith search of the files of UHC personnel most likely to have documents responsive to these categories relevant to Facility R&C—*i.e.*, UHC client executives and managers in National Accounts. These individuals differ from customer to customer and will be identified on the documents. These searches have generally needed to be manual, targeted collections by the witnesses in coordination with counsel, given the nature of these specific documents and our collective interest in completing this process expeditiously. Here are the categories:

1. **Summary Plan Descriptions, Administrative Services Agreements, and Any Amendments Discussing Facility R&C.**¹ *See* Plaintiffs' Fifth Set of RFPs Nos. 11(a), 12(a), 22(a), 32(a), 38(a), 39(a). *See also* "Schedule A" Plan Sponsor Subpoenas, Request No. 5. For purposes of this category, UHC will produce the SPDs, ASAs and relevant amendments discussing Facility R&C that were in effect during the time period April 2, 2016 to present, even if they were executed prior to this date (to the extent they are available and can be located based on a reasonable, good faith search).
2. **Correspondence Between UHC and the Customer Discussing Facility R&C.** *See* Plaintiffs' Fifth Set of RFPs Nos. 11(b), 12(b), 22(b), 32(b), 38(b), 39(b). *See also* "Schedule A" Plan Sponsor Subpoenas, Requests Nos. 1, 2, and 6. *See also* Plaintiffs' First Set of Requests for Production ("Plaintiffs' First Set of RFPs") No. 82. For purposes of this category, UHC will search for and produce any relevant, responsive correspondence regarding Facility R&C from the time period January 1, 2015 to present.
3. **Marketing Materials By UHC To The Customer Discussing Facility R&C.** *See* Plaintiffs' Fifth Set of RFPs Nos. 11(c), 12(c), 22(c), 32(c), 38(c), 39(c). *See also* "Schedule A" Plan Sponsor Subpoenas, Request No. 8. For purposes of this category, UHC will search for and produce any relevant, responsive marketing materials regarding Facility R&C from the time period January 1, 2015 to present.

¹ Although UHC generally refers to the program internally and in plan sponsor communications as Facility R&C, we have not limited these searches to documents using this specific term, in the event that there are communications referring to the program by other names.

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4. **Customer Fees Paid For Facility R&C.** *See* Plaintiffs' Fifth Set of RFPs Nos. 11(d), 12(d), 22(d), 32(d), 38(d), 39(d). *See also* "Schedule A" Plan Sponsor Subpoenas, Requests Nos. 7 and 9. For purposes of this category, UHC will produce available annual summaries of fees paid by the six customers for Facility R&C during the time period April 2, 2016 to present. For this category, we understand that some of the available reports do not segregate out the fees for Facility R&C from fees for other programs, so we will either prepare separate summaries breaking out the fees for Facility R&C, if this can be easily done, or we will produce the available summaries with the caveat that the listed fees are overinclusive with respect to the program at issue in this case.

Finally, it bears repeating that many of these materials will be commercially-sensitive and therefore marked Attorneys' Eyes Only, both because they are sensitive to UHC and because they may be considered sensitive to the customers themselves.

Thank you for your prompt attention to these matters.

Sincerely,

/s/ Geoffrey Sigler

cc: All counsel of record